IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

MONDAY, THE 17TH SEPTEMBER 2007 / 26TH BHADRA 1929

Crl.Rev.Pet.No. 21 of 2006()

CRA.NO. 479/05 OF 2ND ADDL.SESSIONS COURT, ERNAKULAM
IN C.C. 1090 OF 2001 OF J.F.C.M.I, PERUMBAVUR

REVN. PETITIONER: APPELLANT/ACCUSED.

ABDUL SALAM, AGED 35, S/O.ABDUL MAJEED,
ATTUPPURATH ANDAVAR, KADACKAL P.O. KOLLAM.

BY ADV. SRI.A.T.ANILKUMAR

RESPONDENTS: COMPLAINANT.

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1. STATE OF KERALA, REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

2. SHAIJU, S/O.THOMAS, KALLUKADAN VEEDU,
OKKAL P.O. KALADY.

BY ADV. SRI.T.N.ARUNKUMAR (PERUMBAVOOR)
PUBLIC PROSECUTOR SRI. K.S. SIVAKUMAR

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD ON 17/09/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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Crl.R.P. NO. 21 of 2006

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Dated, this the 17th day of September 2007

ORDER

The accused in C.C./ST. No.1090 of 2001 on the file of the J.F.C.M-I, Perumbavoor for an offence punishable under Section 138 of the Negotiable Instruments Act, 1881, challenges the conviction entered and the sentence passed against him concurrently by the courts below.

2. Pending this revision, the parties have settled the matter. Crl.M.A 9651 of 2007 has been filed under Section 147 of the Negotiable Instruments Act, 1881 seeking permission to record the composition entered into between the revision petitioner and the complainant. The said petition has been signed by both the revision petitioner as well as the complainant and their respective counsels. In the light of this development, the aforementioned composition is recorded and it will have the effect of an acquittal of the revision petitioner within the meaning of Sec. 320 (8) Cr.P.C. The sum of Rs. 40,000/- (Rupees forty thousand only) deposited before the trial court shall be allowed to be refunded by the 2nd respondent complainant.

This Crl. R.P. is disposed of as above.

V. RAMKUMAR,

(JUDGE)

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